

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

**IN RE:  
HENRY ELLIS**

**CHAPTER 13  
CASE NO. 14-61291**

**ORDER**

This matter came upon the confirmation hearing on the debtor(s)' proposed Chapter 13 plan and any objections thereto, and the trustee's motion to dismiss or convert. It appearing to the court that the debtor(s)' plan is not ready for confirmation, it is hereby

**ORDERED:**

1. The hearings on the confirmation of debtor(s)' proposed Chapter 13 plan and any objections thereto and the trustee's motion to dismiss are:

\_\_\_\_\_ X (a) **CONTINUED** to February 26, 2015 at 9:30 AM.

\_\_\_\_\_ (b) **CONTINUED** to the same date and time as any hearing on the modified plan to be filed as required in paragraph 6 below.

2. \_\_\_\_\_ This continuance is conditioned upon the debtor(s)' keeping their plan payments current. Failure to do so results in dismissal on the continued hearing date or automatic dismissal without further notice or hearing twenty-one (21) days after the trustee's certification unless the debtor files a timely response to the certification.
3. \_\_\_\_\_ The debtor(s)' shall have until \_\_\_\_\_ to bring plan payments current, otherwise, the case will be dismissed at the continued hearing date or will be automatically dismissed twenty-one (21) days after the trustee's certification that plan payments are delinquent unless the debtor(s) timely files a response to the certification.
4. \_\_\_\_\_ The hearing on confirmation, and any objections thereto and the trustee's motion to dismiss/convert are continued to \_\_\_\_\_ at \_\_\_\_\_ at which time all the conditions marked with an "X" on the attached Exhibit A must have been accomplished or the debtor(s) shall appear at that time and show cause why the case should not be dismissed.
5. \_\_\_\_\_ Confirmation of the debtor(s)' exiting Chapter 13 plan is **DENIED**.
6. \_\_\_\_\_ Debtor(s) shall have until \_\_\_\_\_ to file a modified plan. Upon failure to do so, or to request an extension of time prior to the due date for the modified plan, this case shall be dismissed without further

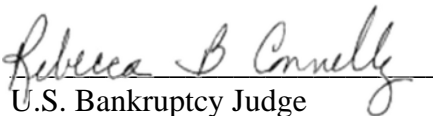
notice or hearing, unless on or before the due date for the modified plan counsel files a certification that there is no need to file a modified plan.

Should a modified plan be timely filed, counsel shall serve it in accord with existing procedures and orders of this court; provided however, that no service shall be required as to any class of creditors not adversely affected by the amended plan, as certified in writing by counsel for the debtor(s) and endorsed as agreed by the trustee, which certification shall be filed with the Clerk no later than the date by which service of the modified plan is required to be made. In all cases of plan modification, service shall be made upon any creditor who has any pending objection to confirmation or a specific request for notice.

7. \_\_\_\_\_ Counsel for the debtor(s) shall submit a wage deduction order to the court no later than \_\_\_\_\_ or the debtor(s) shall appear at the continued hearing date to show cause why no wage deduction order should be entered.
8. \_\_\_\_\_ Should the trustee be prepared to recommend confirmation, she/he may submit a confirmation order for entry prior to continued hearing provided there is no pending objection by a creditor to confirmation.
9.   X   Other provisions: Debtor has until 2-12-2015 to file an amend plan to pay 100% & file a Motion To Waive Notice of it, also amend the wage deduction order, if needed.

\_\_\_\_\_  
Debtor(s) counsel shall serve a copy of this order upon the Chapter 13 trustee and all creditors or their counsel who have filed objections, a motion to dismiss or convert, or an unsolved motion for relief from the automatic stay.

Entered: February 6, 2015

  
\_\_\_\_\_  
U.S. Bankruptcy Judge

We consent:

/s/ Herbert L. Beskin, signed by RR Yancey with express permission

Chapter 13 Trustee

/s/ RR Yancey, Debtor's Counsel